



isco Civil Service Commission

PROPOSED DRAFT OF REVISION OF CIVIL SERVICE COMMISSION RULES
PRESENTED TO CIVIL SERVICE COMMISSION FOR ITS CONSIDERATION BY -

RULES REVISION COMMITTEE

JULY 19, 1971

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Harry Albert, Chairman

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George Evankovich

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John O. Mack

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* Deceased

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PROPOSED DRAFT OF REVISION OF CIVIL SERVICE COMMISSION RULES

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RULE 1

AUTHORITY AND PURPOSE

Section 1.01. RULES PRESCRIBED.

Under the authority of Section 5(a) of Article XI of the Constitution of the State of California and under Section 141 of the Charter of the City and County of San Francisco, the Civil Service Commission of the City and County of San Francisco does prescribe and adopt these rules which shall have the force and effect of law.

Section 1.02. PURPOSE.

These rules are prescribed for the purpose of implementing the Charter provisions, assuring continuance of the merit system, promoting efficiency in the dispatch of public business, and of assuring all persons in the classified service and all persons seeking admission thereto of fair and impartial treatment.

Section 1.03. EMPLOYMENT PRACTICES.

No person in the classified service, or seeking admission thereto, shall be appointed, reduced, or removed, or in any way favored or discriminated against in his employment or opportunity for employment because of his race, color, sex, religious or political opinions or affiliations, union affiliation or national origin. Persons alleging violations of this section may appeal to the Commission under the provisions of Rule 5, Section 5.06.

Section 1.04. SEVERABILITY.

If any rule, section, paragraph, sentence, clause, or phrase of these rules is declared unconstitutional or void for any reason, such declaration shall not affect the validity of the remaining portions of these rules. The Commission hereby declares that it would have prescribed and adopted these rules,

and each rule, section, paragraph, sentence, clause, and phrase hereof, irrespective of the fact that any one or more rules, sections, paragraphs, sentences, clauses, or phrases be declared unconstitutional or void.

The titles assigned to rules and sections are for reference purposes only, and shall not be considered as a substantive part of these rules.

Section 1.05. AMENDMENT OF RULES.

The Commission may at any time amend these rules. Any such proposed amendment shall be posted for a minimum of seven consecutive calendar days prior to adoption. Upon adoption, changes in the rules shall be in effect and shall be published. No change in the rules shall affect a case pending before the Commission.

Section 1.06. COURT ACTIONS.

In the event of an adverse decision in a legal action to which the Commission is a party, the City Attorney shall appeal through and to the highest court for final decision unless otherwise ordered by the Commission.

RULE 2

DEFINITIONS

Unless otherwise required by the context, the words herein listed and as used in these rules have the following meaning.

Section 2.01 APPOINTEE:

- | | | |
|--------|-------------------|--|
| 2.01.1 | PERMANENT REGULAR | Probationary period has been completed. |
| 2.01.2 | PROBATIONARY | Status of employees during a trial period following a regular permanent entrance or promotive appointment. |
| 2.01.3 | TEMPORARY | Employment other than permanent or probationary |
| 2.01.4 | LIMITED TENURE | Appointments made under the authority of Charter Section 145.1. |

Section 2.02	APPOINTING OFFICER	The head of an organization unit having appointive authority within the organization unit and the powers of a department head as defined in Section 20 of the Charter.
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Section 2.03	BULLETIN BOARD	The official bulletin board, so designated, at the main office of the Commission, used for posting of examinations and public announcements of the Commission.
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Section 2.04	CHARTER	The Charter of the City and County of San Francisco.
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Section 2.05	CIVIL SERVICE DEPARTMENT	The Administrative Office of the Commission under the direction of the General Manager, Personnel.
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Section 2.06	CITY	The City and County of San Francisco.
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Section 2.07	CLASS	A position or group of positions for which a common descriptive job title may be used.
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Section 2.08	CLASSIFICATION PLAN	All the classes which have been established and together with the procedures for maintaining the plan and the specifications or descriptions of each of the classes.
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Section 2.09.	CLASSIFIED SERVICE	Includes all positions in the city service subject to competitive examination and/or salary standardization.
Section 2.10.	COMMISSION	San Francisco City and County Civil Service Commission.
Section 2.11.	COMMISSIONER	A member of the San Francisco City and County Civil Service Commission.
Section 2.12.	DEPARTMENT	Organization unit or units under one appointing officer.
Section 2.13.	ELIGIBLE	A person who has standing on an eligible list.
Section 2.14.	ELIGIBLE LIST	A list of names of persons who have passed a civil service examination.
Section 2.15.	EXECUTIVE SESSION	A meeting or part of a meeting of the Commission legally held in private or with the general public excluded.
Section 2.16.	LAYOFF	Separation from a position because of economy, lack of funds or lack of work.
Section 2.17.	POSITION	Duties and responsibilities assigned by an appointing officer to be performed by one employee.
Section 2.18.	POSITION-PERMANENT	A position enumerated in the Annual Salary Ordinance for which funds have been provided on a continuing basis; or a position declared to be permanent by action of the Commission under authority of Section 148 of the Charter.
Section 2.19.	POSITION-TEMPORARY	All positions not included within the definition of permanent positions.
Section 2.20.	POSITION-PART-TIME	Positions less than the established full time normal schedule of hours per day or days per week.
Section 2.21.	POSITION-AS NEEDED	Positions on irregular schedules normally required for relief purposes.
Section 2.22.	POSITION-EXEMPT	Positions exempted from being filled from eligible lists in accordance with the provisions of Charter Section 142.
Section 2.23.	POSITION-SCHOOL TERM ONLY	Positions in the San Francisco Unified School District and the Community College District established for school term periods only.

Section 2.24.	POST	To place on the official bulletin board of the Commission.
Section 2.25.	REGULAR	Distinguishes any matter so referred to from "Limited Tenure".
Section 2.26.	SENIORITY	When determining order of layoff, the date of certification to the class in the department involved is used. Exclusive of military leave provisions and layoff, seniority in a class is calculated from the date the employee was first reported on the timeroll as working.
Section 2.27.	SERVICE	The San Francisco City and County government service, including the classified positions in the San Francisco Unified School District and the Community College District.
Section 2.28.	TIME PERIODS (WEEK-MONTH-ETC.)	Reference to time periods such as one week or one month, etc., shall mean calendar days unless the rule specifically refers to working days.

RULE 3 ADMINISTRATION

Section 3.01. ELECTION OF PRESIDENT AND VICE-PRESIDENT.

At its first regular meeting in July of each odd numbered year, the Commission shall elect one of its members President and one of its members Vice-President, each to hold office for a term ending June 30 of the next succeeding odd numbered year or until a successor has been elected.

Section 3.02. DUTIES OF PRESIDENT AND VICE-PRESIDENT.

The President shall preside at all meetings of the Commission and shall act as spokesman for the Commission. The President may establish such standing or special committees as he shall deem necessary.

The Vice-President shall assume the duties of the President when the President is absent from the State of California, or when the President shall designate the Vice-President to act for him.

In the event of the death, resignation, or permanent disability of the President, the Vice-President shall act for the President until the Commission shall elect a President to serve until the normal expiration of the term of the succeeded President.

When acting for the President, the Vice-President shall have all of the powers of the President and shall assume all of the duties of the President.

Section 3.03. SECRETARY.

The Commission shall appoint a Secretary who shall be the Executive Officer of the Commission and who shall hereinafter be titled, General Manager, Personnel, and who shall hold office at the pleasure of the Commission.

Section 3.04. DUTIES OF GENERAL MANAGER, PERSONNEL.

In the performance of his duties, the General Manager, Personnel, shall be responsible to the Commission. The duties of the General Manager, Personnel, shall be as follows:

a) Delegate his duties where necessary and supervise and direct the work of all persons employed in the civil service department, or engaged in preparing, conducting, or scoring examinations.

b) Keep the minutes and other records of the Commission, and certify to the same when required.

c) Administer and make effective the provisions of these rules, establishing such administrative controls as may be necessary.

d) Make recommendations relative to matters of policy and for necessary amendments to these rules.

e) Report to the Commission from time to time as directed concerning the details of the work of the department.

f) Prepare the budget for the civil service department; approve accounts; and administer generally the expenditure of funds appropriated for the operation of the Commission.

g) Recommend to the Commission the appropriate classification of all positions in the Classified Service; maintain a schematic list of all classes in the Classification Plan; and prepare and maintain specifications for each class.

h) Direct the compilation of salary and wage data in accordance with the Charter as a basis for making recommendations to the Commission and shall be responsible for the administration of the salary plan.

i) Direct the order, preparation, and conduct of all examinations.

He shall:

1. Determine the examinations to be conducted.

2. Determine the minimum qualifications of applicants; the subjects to be covered in each examination; methods of testing, and the relative weights.

3. Prepare and post bulletins announcing examinations.

4. Prepare the content or questions to be used in each examination, together with the standards or key answers.

5. Make arrangements for and supervise the conduct of the examinations, appointing experts, special examiners, and other persons as he may deem necessary.

6. Grade examination papers, evaluate the qualifications of applicants, and set passing marks.

7. Pass upon all questions relating to the eligibility of applicants; the admissibility of applicants to the examination; extensions of time and all questions arising during the course of an examination, subject to appeal to the Commission as provided in Rule 5.07.

j) Perform all other functions necessary for the proper implementation of these rules and the provisions of the charter relating to civil service administration, and such additional duties as may be assigned to him from time to time by the Commission.

Section 3.05. ASSISTANT GENERAL MANAGER, PERSONNEL.

In the absence of the General Manager, Personnel, the Assistant General Manager, Personnel, shall have all of the powers and duties of the General Manager, Personnel.

Section 3.06. SECRETARY, PRO TEM.

In the absence of the General Manager, Personnel, and of the Assistant General Manager, Personnel, the Commission shall appoint a Secretary Pro Tem to act as Secretary of the Commission until their return.

RULE 4

MEETINGS OF THE COMMISSION

Section 4.01. REGULAR MEETINGS.

Regular meetings shall be held every Monday at 4:00 p.m. in Room 282, City Hall, or at such other day, time, or place as the Commission, at a prior regular meeting, may designate.

Any change of time or place of meeting shall be posted on the door of Room 282.

When a regular meeting day falls on a holiday, the Commission shall meet on the next succeeding business day, unless at a prior regular meeting, it designates some other day for its meeting.

A regular meeting shall not be adjourned before 5:30 p.m., provided that, if in the judgment of the President of the Commission all calendared business has been concluded, the meeting may be adjourned at an earlier time. Any person having a matter on calendar who within five working days following the date of the meeting requests in writing that their matter be recalendared because of their non-appearance due solely to the earlier adjournment time, shall have their matter recalendared for original consideration. Nothing contained herein shall be construed as barring the Commission from recessing from time to time during the continuance of the meeting.

Section 4.02. ADJOURNED REGULAR MEETING.

The Commission may adjourn any regular meeting to a time and place specified. The adjourned meeting shall be part of the regular meeting.

Section 4.03. SPECIAL MEETINGS.

A special meeting may be ordered by the President and must be ordered upon written request of the two other commissioners.

Notice shall be sent by the General Manager, Personnel, to all interested parties who have filed a written request to be notified of any special meeting. Such notice must be delivered personally or by mail at least 24 hours before the time of such meeting as specified in the notice. A copy shall also be posted at the office of the Commission. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be transacted except that for which the meeting is ordered.

Section 4.04. COMMISSION MEETINGS - PUBLIC.

All meetings of the Commission shall be open to the public except as otherwise provided in Rule 4, Section 4.05, or as otherwise provided in these rules or the charter.

Section 4.05. EXECUTIVE SESSION.

The Commission may hold executive sessions to consider the employment or dismissal of an officer or employee subject to the jurisdiction of the Commission, or to hear complaints or charges brought against such officer or employee, unless such officer or employee requests a public hearing. The Commission may also exclude witnesses and others.

Section 4.06. MINUTES.

The General Manager, Personnel, shall record in the Minutes, the time and place of each meeting, the names of the Commissioners present, all official acts of the Commission and the votes of the Commissioners. When requested, a Commissioner's dissent or approval, with his reasons, shall be recorded.

The Minutes shall be written and presented for correction and approval at the next Regular Meeting. The Minutes or a true copy thereof, certified by the President and by the General Manager, Personnel, shall be open to public inspection.

Section 4.07. PERSONNEL ACTIONS - FORMAL COMMISSION APPROVAL NOT REQUIRED.

The following reports of personnel transactions submitted by appointing officers or requests from employees made to the Commission shall not require formal commission approval, but shall be directly recorded on the service records of the employees:

1. Notification from Retirement System of retirement of employee by reason of service or disability.

2. Report of death of an employee.

3. Notification from Retirement Board that employee has been granted permission to live outside of geographic limits within which city employees must live in accordance with the residential requirements.

4. Entry into military service and separation from military service documents when presented by employee or eligible.

5. Request of an eligible that his name be removed from an eligible list.

6. Communications from appointing officers reporting assignments of employees from full time to less than full time positions, and from less than full time to full time positions in accordance with the rules of the Commission.

7. Suspensions for periods not exceeding thirty days for disciplinary purposes, when imposed by appointing officers, as provided in Section 154 of the Charter, shall be recorded on the service records concerned when reported by the appointing officer.

RULE 5

GENERAL HEARING AND MEETING PROCEDURE

Section 5.01. COMMUNICATIONS.

Communications requiring action by the Commission must be filed in writing in the Civil Service Department. Such communications received before 12:00 Noon, Thursday, shall be noted on the Commission calendar for the next following regular meeting following such date, with disposition recorded.

The General Manager, Personnel, shall prepare a supplemental calendar of matters received up to 11:00 a.m., Monday, which in his judgment require immediate attention of the Commission.

Communications not requiring action by the Commission under these rules shall be processed by the General Manager, Personnel, as provided by these rules, and proper notations shall be made on the pertinent records.

A Commissioner may require that any matter which has been received in accordance with the provisions of this section, be calendared.

Section 5.02. QUORUM.

The majority of all the members of the Commission shall constitute a quorum and the concurrence of the majority of all the members of the Commission shall be necessary to any action.

Section 5.03. SECOND OF MOTION NOT REQUIRED.

A motion made by any Commissioner is immediately before the Commission and shall not require a second.

Section 5.04. ROLL CALL VOTE.

A roll call vote may be requested by a Commissioner on any matter before the Commission.

Section 5.05. TIE VOTE.

A tie vote on a negative motion - the motion is lost but the matter or request remains before the Commission for disposal.

A tie vote on an affirmative motion - the motion is lost and the matter or request before the Commission is denied.

If only two Commissioners are present and it is evident that they are not in agreement on the matter or request before the Commission, then either Commissioner or any interested party may request a postponement of action.

Section 5.06. RECONSIDERATION.

Request for reconsideration shall be filed in writing specifying the reasons therefor. New information not previously considered must be submitted in detail.

Except as otherwise herein provided, reconsideration requests must be received in the civil service department no later than the twentieth working day (excluding Saturdays, Sundays and holidays) following the mailing of notification to the appellant of the Commission's action.

Reconsideration requests dealing with examination announcements, qualifications of applicants, tentative ratings, key answers or examination ratings must be received in the Civil Service Department before 12:00 Noon of the fourth working day (excluding Saturdays, Sundays and holidays) following the mailing of notification to the appellant of the Commission's action.

Notification of the Commission action shall be mailed no later than the second working day following such action.

Requests for reconsideration of Commission action on examination key answers will be calendared without reference to the Commissioners. All other requests for reconsideration will be referred to the Commissioners for determination as to whether the Commission will agree to reconsider the matter. If after consideration of the written request the Commission does not consent to hear the matter, the request is denied and the previous action is final. Denial of a reconsideration request will be noted for information purposes on the calendar of the next regular Commission meeting. If the Commission agrees to reconsider, then the matter shall thereafter be calendared for hearing within three weeks unless the President of the Commission approves a later date. At such hearing, oral arguments will be heard only as to those matters related to new information not previously considered by the Commission. Action by the Commission after reconsideration hearing shall be final.

Section 5.07. APPEAL FROM GENERAL MANAGER.

An action by the General Manager, Personnel, on matters which have been delegated by the Commission to the General Manager, Personnel, in these rules or by ordinance may, in accordance with the provisions and within time limits provided in Rule 5.06, be appealed as a request for reconsideration to the Commission.

Section 5.08. MOOT QUESTIONS.

Request for rulings on moot or hypothetical questions will not be considered.

Section 5.09. RULES OF ORDER.

Except as otherwise provided herein, Robert's Rules of Order, Revised, shall guide the Commission in its proceedings.

Section 5.10. ITEMS HEARD OUT OF ORDER.

A request that a calendared item be heard out of order shall be presented to the Assistant Secretary prior to the start of the meeting stating the reason for the request. The President shall decide if the request will be granted.

Section 5.11. CALENDARED MATTERS TO BE POSTPONED.

All calendared matters to be postponed shall be announced at the start of the meeting by the Assistant Secretary.

Section 5.12. MATTERS TO BE HEARD BY THE COMMISSION.

Only matters that have been calendared will be heard by the Commission at any meeting. No oral requests for ruling will be considered.

Section 5.13. ORDER OF PRESENTATION.

The proponent of any calendared matter shall first present his supporting arguments. The opponent of any calendared matter shall then present his arguments in opposition. Questions of opposing parties shall be allowed at the determination of the President. After original statements have been heard, additional statements and questions may be presented at the discretion of the President.

RULE 6

DISCIPLINARY HEARINGS

Section 6.01. PROCEDURE FOR TERMINATION OF REGULAR TEMPORARY EMPLOYEE.

A regular temporary employee may be terminated for cause by an appointing officer at any time. A notice of termination on a Civil Service Department form, from the appointing officer to the employee detailing the specific reason(s) for the termination, shall serve as official notice of such termination. A copy of the termination form must be filed in the Civil Service Department. The termination must be approved in accordance with Section 20 of the Charter.

The stated reason(s) for the termination must be enumerated. Records of warnings, reprimands and previous suspensions, if applicable to the instance of termination, must be attached to the termination form.

The appointing officer or his representative shall appear when the matter is to be considered by the Commission. The matter will be heard in accordance with Rule 5, Section 5.13.

The Commission thereupon shall take one or more of the following actions:

- a) Declare the person dismissed from the service and remove the name of the person from the eligible list.
- b) Order the name of the person removed from any other list or lists on which he has eligibility.
- c) Restrict participation in further examinations as it deems appropriate.
- d) Return the name of the person to the eligible list from which appointed without restriction, or under such conditions for further appointment as it deems appropriate.

Section 6.02. PROCEDURE FOR TERMINATION OF LIMITED TENURE EMPLOYEE.

A limited tenure employee may be terminated for good cause by an appointing officer at any time with the approval of the Commission. The notification and hearing procedure shall be in accordance with the provisions of Rule 6.01.

The Commission shall take one or more of the following actions:

- a) Approve the termination and declare the person dismissed from the service.
- b) Order the name of the person removed from any regular eligible list or lists on which he may have standing.
- c) Restrict participation in further examinations as it deems appropriate.
- d) Disapprove the termination and reinstate the appointee to the department from which terminated.

Section 6.03. PROCEDURE FOR TERMINATION OF PROBATIONARY EMPLOYEE IN AN ENTRANCE CLASSIFICATION.

A probationary employee serving in an entrance classification may be terminated by the appointing officer at any time during the probationary period. The notification and hearing procedures shall be in accordance with Charter Section 148, and with the provisions of Rule 6.01.

The Commission shall take one or more of the following actions:

- a) May declare such person dismissed, or return the name to the eligible list from which appointed under such conditions for further appointment it deems appropriate, provided that certification to the same position and same immediate supervisor will not be made if the termination was for disciplinary reasons.
- b) Order the name of the person removed from any regular eligible list or lists on which he may have standing.
- c) Restrict participation in further examinations as it deems appropriate.

Section 6.04. PROCEDURE FOR HEARING FOLLOWING TERMINATION OF EMPLOYEE SERVING PROBATION IN A PROMOTIONAL CLASSIFICATION.

a) An employee serving probation in a promotional classification may be terminated by the appointing officer at any time during the probationary period. The termination shall be in accordance with Section 148 of the Charter and applicable procedure in Rule 6.01.

The employee shall have the right of appeal and hearing before the Commission. Notice of appeal shall be filed in writing in the Civil Service Department within ten (10) working days (excluding Saturdays, Sundays and holidays) following the date of termination of appointment. The Commission will announce the time and place of hearing which shall be as soon thereafter as convenient to all parties.

The Commission shall render its decision within thirty (30) days after receipt of the notice of termination, and (a) may direct such person dismissed, or (b) declare such person reinstated in his position and may order that the employee be paid salary from the time of the termination of his appointment, or (c) order the return of such person to the position from which he was promoted.

The decision of the Commission shall be final.

b) Pending decision of the Commission, the appointing officer in his judgment may restore the employee to duty in the prior position from which promoted. If the prior position was under another appointing officer, then his approval to such reinstatement shall also be required.

Section 6.05. PROCEDURE FOR DISMISSAL BY APPOINTING OFFICER OF REGULAR PERMANENT EMPLOYEE.

A regular permanent employee may be discharged for cause upon written charges and after an opportunity to be heard in his own defense. Pending such hearing, the appointing officer may suspend the person so accused, but such suspension shall not be valid for more than thirty (30) days unless hearing upon the charges shall be delayed beyond such time by the act of the accused person.

When the charges are made, the appointing officer shall notify the person accused in writing of the time and place where the charges will be heard by mailing such statement to his last known address. The person accused may be represented by counsel or other representatives of his own choosing.

The appointing officer shall publicly hear and determine the charges and may exonerate, suspend, or dismiss the accused. If the employee is exonerated, the appointing officer may at his discretion remit the suspension and order payment of salary to the employee for the time under suspension and the report of such suspension shall thereupon be expunged from the record of service of such employee.

The Commission shall be informed of all notifications and actions at the same time the employee is so notified.

Section 6.06. PROCEDURE FOR APPEAL FOLLOWING DISMISSAL OF REGULAR PERMANENT EMPLOYEE.

If a hearing by an appointing officer results in the dismissal of a regular permanent employee, the finding of the appointing officer shall be final unless within thirty (30) days the dismissed employee appeals to the Commission.

The appeal and all proceedings shall be in writing and shall briefly state the grounds therefor. The Commission shall review the case and may require the appointing officer to furnish a record of the hearing and any additional evidence in writing it deems material. The Commission shall make such decision as it deems just.

The decision shall be final and shall be immediately enforced by the appointing officer.

If the Commission shall revise or alter the finding of the appointing officer, it may order that the employee affected be paid salary from the time of his discharge or suspension.

Section 6.07. EFFECT OF DISMISSAL OF REGULAR PERMANENT EMPLOYEE WHEN NO APPEAL FILED.

The name of a regular permanent employee who does not appeal from dismissal shall unless otherwise ordered by the Commission, be removed from any eligible list on which he has standing, and he shall not be permitted to participate in any examination except with the consent of the General Manager, Personnel.

Section 6.08. PROCEDURE FOR HEARING ON CHARGES AGAINST AN EMPLOYEE WHEN THE APPOINTING OFFICER NEGLECTS OR REFUSES TO ACT.

When the appointing officer neglects or refuses to act, pertaining to the removal of any employee subject to the civil service provisions of the Charter, the Commission may hear and determine any charge filed by a citizen, or by an authorized agent of the Commission. In rendering its decision, the Commission shall determine the charges and may exonerate, suspend or dismiss the accused employee in accordance with the provisions of Charter Section 154.

The appointing officer or his representative shall appear when the matter is to be considered. The matter will be heard in accordance with Rule 5.13 - Order of Presentation.

Section 6.09. ELIGIBILITY STATUS PENDING COMMISSION ACTION ON DISCIPLINARY TERMINATION.

Pending action of the Commission on termination of any appointment for disciplinary reasons, the name of the appointee shall be placed under waiver for all appointment on any eligible list on which he has standing.

RULE 7

CLASSIFICATION

Section 7.01. CLASSIFICATION OF POSITIONS.

Each position in the classified service shall be classified by the Commission and allocated to the appropriate class in accordance with the character, difficulty and responsibility of the assigned duties.

Positions shall be allocated to the same classes when their duties are sufficiently similar that: a) The same descriptive title may be used to designate each position in the class; b) The same level of education, experience, knowledge, ability and other qualifications may be required of incumbents; c) Similar tests of fitness may be used to select incumbents; d) The same schedule of compensation will apply with equity under substantially the same employment conditions.

Section 7.02. CLASS SERIES AND SERVICES.

All classes involving the same kind of work but differing as to level of difficulty and responsibility shall be assembled into the same series. All series within the same broad occupational field shall be assembled into the same service.

Section 7.03. CLASS SPECIFICATION.

The class specification shall be the official record of the position classification plan. The specifications, in addition to defining the duties and characteristics of the class, shall give examples of the more significant and typical duties assigned to positions in the class, the minimum requirements for applicants for positions in the class, and any other special requirements.

The class specifications shall be descriptive of the class and shall not be considered as a restriction on the assignment of duties not specifically listed. They are intended to indicate the kind of positions that should be allocated to the several classifications and shall not be construed as describing what the exact duties and responsibilities of each individual position allocated to the class shall be.

Section 7.04. OFFICIAL COPY.

The General Manager, Personnel, shall maintain an accurate and complete copy of the position classification plan to be designated as the "Official Copy". All changes in allocation or reallocation of positions to classes, or amendments of classifications, shall be recorded in the official minutes of the Commission. The "Official Copy" of the position classification plan shall be open to public inspection.

Section 7.05. ADMINISTRATION OF THE CLASSIFICATION PLAN.

The General Manager, Personnel, shall make position classification studies of individual positions or groups of positions whenever he deems it necessary, whenever the duties or responsibilities have undergone significant changes, or whenever new positions are to be created.

Upon request of the General Manager, Personnel, the appointing authority shall furnish detailed information relative to the duties, responsibilities, or work assignments of positions under his jurisdiction. The appointing authority shall notify the Civil Service Department promptly of significant changes in duties, responsibilities or work assignments of positions under his jurisdiction.

Section 7.06. AMENDMENTS TO CLASSIFICATIONS.

Amendments to the classification plan or changes in allocation or reallocation of positions to classifications may be made at any meeting of the Commission. All requests for such changes shall be posted in the business office of the Civil Service Department for a period of at least one week before such requests shall be acted upon by the Commission.

Section 7.07. REVIEWS AND APPEALS.

Any employee, his representative, or appointing authority affected by any classification action may request the Commission to review such action. The request for review shall be in accordance with request for reconsideration under Rule 5.06.

Section 7.08. EFFECT OF CLASSIFICATION CHANGES ON INCUMBENT.

The allocation or reallocation of a position shall not adversely affect the rights of an occupant legally holding such a position under permanent appointment. When a position is to be reallocated from one class to a higher or lower class, or from one series to another series, such reallocation shall be effected when the position becomes vacant by reassignment or for other reason(s). Pending such reallocation, the incumbent shall continue in the position.

If the employee gains eligibility in the class to which the position is to be reallocated, he may receive an appointment thereto in accordance with the rules governing appointments.

Whenever the title of the class changes without a change in duties or responsibilities, the incumbent shall have the same status in the new class as he had in the old class.

RULE 8

APPLICATIONS AND NOTICE OF EXAMINATIONS

Section 8.01. QUALIFICATIONS OF APPLICANTS.

Every applicant for entrance or promotional examination must possess and maintain the qualifications required by law and by the announcement of the examination for which he applies. Experience gained in violation of the Commission rule will not be recognized. It is the responsibility of the appointing officer and of the employee to have experience outside of classification recorded in accordance with Rule 21.

Section 8.02. TIME FOR FILING.

An applicant is a person who has filed an application for examination within the time limits specified in the announcement of the examination for which he applies. Verification shall be the official time receipt of the Civil Service Department or postmark. Examination announcements shall only be distributed during the period that applications may be filed.

Section 8.03. NOTICE OF EXAMINATIONS.

Official notice of examinations will be posted on the bulletin board of the Civil Service Department for a minimum period of ten (10) business days and published as required by Charter. Request for notice of

dates when applications may be filed must be made on Civil ~~Service~~ Department forms. Mailing of the form to the inquirer at the time the examination announcement is posted shall be at the inquirer's risk. A separate request must be made for each classification.

Section 8.04. ADDITIONAL NOTICE OF PROMOTIONAL EXAMINATIONS.

Notice of promotional examinations to persons who may be qualified will be distributed through the concerned departments.

Section 8.05. APPLICATION CUSTODY.

Application forms become the property of the Civil Service Department when received. Return of documents submitted with the application shall require specific approval of the Director of Recruitment and Examinations, or in his absence his designated representative.

Application forms and related documents may be amended by the applicant only when the examination is open for filing.

Section 8.06. AMENDMENT OF EXAMINATION ANNOUNCEMENTS.

Examination announcements may be corrected with respect to clerical errors, misprints and incorrect wording by the Director of Recruitment and Examinations, or in his absence his designated representative, by posting notice of such corrections next to the original announcement on the official bulletin board.

RULE 9

EXAMINATIONS

Section 9.01. CHARTER AUTHORITY.

The examination program shall be in accordance with the provisions of the Charter. The General Manager, Personnel, shall rule on all matters concerning the examination program pursuant to Rule 3.04.



Section 9.02. ANNOUNCEMENT.

The examination announcement shall provide the qualifications, dates, duration of eligible lists, and other particulars regarding the examinations thereon announced. Applicants must be guided solely by the announcement of the examination or examinations for which they apply.

Section 9.03. OFFICIAL TIME PERIODS.

Examination announcements shall set forth time limits for determination of the qualifications of applicants.

Section 9.04. PROMOTIONAL APPLICANTS.

Applicants for promotional examinations must meet the requirements of the examination announcement under which they apply, including completion of probationary period and current status in a next lower rank classification. Current status in a next lower rank classification shall also include persons -

- 1) On authorized leave of absence.
- 2) With holdover rights who have been employed in the class within the one year period preceding the beginning date of examination.
- 3) Serving a probationary period in a different class but who were last employed in a next lower rank class.
- 4) A transferee while serving the required probationary period. If successful, he shall be entitled to an offer of appointment in accordance with his eligibility without regard to his probationary status.
- 5) An employee serving probationary appointment but who had an earlier date of certification because of having been reached while in the military service. Appointment from the promotional list shall not be offered prior to satisfactory completion of the probationary period.

Section 9.05. REQUEST FOR INCLUSION IN NEXT LOWER RANK.

Employees desiring inclusion of their class in the next lower rank of a specific promotional examination must make such request on forms provided by the Civil Service Department prior to the announcement of the promotional examination.

Section 9.06. PARTICIPATION.

No employee may participate in an examination for a class in which he has current permanent appointment status except with the approval of the General Manager, Personnel.

Section 9.07. MEANS OF IDENTIFICATION.

Any competitor in a written examination who places any identifiable mark upon his examination papers shall have his papers cancelled.

Section 9.08. UNAUTHORIZED MATERIAL.

Any applicant cheating or attempting to cheat in any phase of the examination process shall be eliminated from the examination and thereafter shall be ineligible for future employment. Cheating shall include the use or attempted use of material not authorized by the notice to report for examination.

Section 9.09. COPYING OF EXAMINATION QUESTIONS.

The copying of examination questions or the making of notes or outlines regarding an examination is prohibited, except notations checking the accuracy of the scoring.

Section 9.10. RATING KEYS.

The examination booklet shall provide the time period wherein participants in an examination may review the rating key to be used for scoring. Participants in an examination shall be allowed only one review of the rating key unless otherwise ordered by the General Manager, Personnel. No changes in the rating key shall be made after the identification sheets of any participants have been opened.

Section 9.11. RATING KEYS - CONTINUOUS EXAMINATIONS.

Inspection privileges shall not apply to those examinations which have been declared by the Commission as continuous.

No examination may be declared continuous for a period exceeding one (1) year; however, nothing herein shall prohibit the Commission from extending this period. Following the adoption of the rating key and validation of the test, the passing mark shall be stated on the examination announcement and the key answers shall not be subject to inspection and appeal procedures.

The General Manager, Personnel, may order obsolete or erroneous questions deleted from any examination which has been declared continuous.

Section 9.12. INSPECTION OF PAPERS BY UNSUCCESSFUL CANDIDATES.

Where there are remaining parts of an examination, unsuccessful candidates may inspect their papers during a two day period specified by the notice informing them of their scores. Such inspection shall be for the sole purpose of determining that the scoring has been accurate.

Section 9.13. PREFERENCE TO WAR VETERANS AND THEIR WIDOWS.

Not included here. In final printing this will be current Rule 10 (same title) - without substantive change.

Section 9.14. QUALIFICATIONS APPRAISAL INTERVIEWS.

Not included here. In final printing this will be current Rule 12.1 (same title) - without substantive change.

Section 9.15. APPOINTMENT OF EXAMINING PHYSICIANS.

Examining physicians and physician specialists shall be appointed by the General Manager, Personnel, subject to approval by the Commission. Such appointments shall be for a term of one year commencing July 1. Nothing herein shall prohibit the renewal of such appointment, as provided above, from year to year or from filling any vacancies which may occur during a term.

The qualifications of examining physicians and physician specialists shall be subject to review by the General Manager, Personnel and the Commission prior to their appointment or reappointment.

Emergency appointment of a physician or physician specialist may be made by the General Manager, Personnel, for a period not to exceed seven (7) days.

Section 9.16. MEDICAL EXAMINATIONS.

An eligible shall, before certification for permanent appointment, be required to pass a medical examination before a physician designated for such purpose by the Commission. Eligibles for positions other than those in the uniformed force of the Fire and Police Departments, who have passed such medical examination, need not be subject to further medical examination for a period of six (6) months if within that time they are reached for other positions where the medical standards are not higher.

Eligibles who fail to pass the medical examination shall be rejected and such rejection shall apply to any other eligible list upon which such eligible may have standing, unless otherwise ordered by the General Manager, Personnel. Eligibles for permanent appointment who have been rejected in the medical examination shall also be rejected for temporary appointment unless otherwise ordered by the General Manager, Personnel. The name of an eligible who is found to have a disqualifying medical defect that is not correctable may be removed from the eligible list.

The General Manager, Personnel, upon the advice of the medical examiners, is authorized to certify eligibles with medically disqualifying conditions that are subject to correction within a reasonable time period, and order that the employment of such persons be subject to passing all medical requirements within five (5) months of the date of certification, or lesser time, if conditions warrant. Requests for reconsideration of a ruling of the General Manager, Personnel, under this subject will be heard by the Commission only if filed in writing by noon of the sixth calendar day following the ruling.

Section 9.17. MEDICAL EXAMINATIONS - TEMPORARY APPOINTMENTS.

Appointees to temporary positions whose duration exceeds a period of three (3) months shall be required to pass a medical examination subject to the conditions set forth above.

The General Manager, Personnel, may also require that any eligible for temporary or seasonal appointments shall, before certification for employment, pass a medical examination or present a doctor's certificate showing that they are physically qualified.

An eligible who inexcusably fails to complete a required medical examination, or fails to follow established procedures in reporting for medical examinations, will be placed under waiver on all eligibility lists. Such waivers, if they are first waivers of appointment, shall not be removed except with the special permission of the General Manager, Personnel. Waivers which constitute a second waiver of permanent appointment shall cause the removal of the name from the eligible list in accordance with the provisions of Rule 13.

An eligible, after having been medically rejected, may present in writing medical evidence that the condition leading to rejection has been corrected, no longer exists, or did not in fact exist and may apply to the General Manager, Personnel, for medical reexamination.

RULE 10

ELIGIBLE LISTS

Section 10.1. ESTABLISHMENT OF ELIGIBLE LISTS.

Qualified participants successfully passing all phases of the examination process shall be ranked on an "Eligible List" in the order of their total score.

Section 10.2. MAINTENANCE OF ELIGIBILITY.

Except as otherwise provided by these rules, an eligible who fails to possess and maintain the qualifications required by law and by the terms of the examination announcement under which he participated, will forfeit his eligibility.

Section 10.3. MAINTENANCE OF ELIGIBILITY ON OTHER PROMOTIVE LISTS.

The name of an employee who completes a probationary period in one promotive class shall be retained on another promotive eligible list if the class from which he was promoted was a next lower rank for both lists.

Section 10.4. OFFICIAL ADOPTION DATE.

a) Pending the official adoption of an eligible list, a tentative eligible list shall be posted. After the posting period and in the absence of protests on ratings, tentative eligible lists shall automatically become official as posted. In all other cases the eligible list shall be effective on the date of official adoption of such list by the Commission in accordance with Charter Section 147.1.

b) Changes in an eligible list because of clerical errors or re-ratings shall not change the date of adoption of the eligible list.

Section 10.5. DURATION OF ELIGIBLE LISTS.

As provided in Rule 9.02, examination announcements shall state the duration of the eligible list. If the expiration date falls on a Saturday, Sunday, or legal holiday, the removal of all names shall be effective at the close of business on the following business day.

If an eligible list has been in effect for more than two years and is exhausted for permanent appointment, other than exempt waiver appointment, the Commission may remove all names from the eligible list.

RULE 11
REQUISITIONS

Section 11.1. REQUIREMENT FOR REQUISITION.

Whenever a position is to be filled, excepting those positions specifically excluded by law from civil service examination, the appointing officer shall issue a requisition on the form provided, to the Civil Service Department. Fully approved requisitions shall immediately be time stamped in the order of receipt in the Civil Service Department.

Section 11.2. SEPARATE OR GROUP REQUISITIONS.

A separate requisition shall be made for each permanent position to be filled. Group requisitions may only be made for temporary positions.

Section 11.3. CANCELLATION OF REQUISITIONS.

Upon request by the appointing officer, indicating good cause, cancellation of requisition may be allowed by the General Manager, Personnel.

Section 11.4. FLEXIBLE STAFFING REQUISITIONS.

A requisition for a permanent vacancy filled by an appointee in accordance with the flexible staffing authority of the Salary Ordinance, shall also be valid for subsequent certification for appointment of the same eligible, when qualified, to the classification designated on the requisition.

RULE 12

RESPONSE PERIOD AND EFFECT OF FAILURE TO RESPOND

Section 12.1. RESPONSE PERIOD.

Eligibles are required to respond to a Notice of Inquiry or Notice of Probable Appointment within three (3) days after the date of such notice (excluding Saturdays, Sundays and holidays).

Section 12.2. EXTENSION OF RESPONSE PERIOD.

Notices sent to an eligible who is not a resident of San Francisco or as other circumstances may warrant, the General Manager, Personnel, may extend the time limit to respond to include a reasonable time for the receipt of mail.

Section 12.3. METHOD OF RESPONSE.

Response within the time limits provided means the response either by telephone, letter, messenger or by personal appearance must be to the Civil Service Department during regular business hours within three (3) days after the date of mailing of the Notice of Inquiry or Notice of Probable Appointment. Response other than by personal appearance must be followed by personal appearance within the time limit.

Section 12.4. EFFECT OF FAILURE TO RESPOND.

a) ELIGIBLE.

Failure of an eligible to respond within the time limits provided will result in an automatic general waiver. The effect of such waiver is the same as described in Rule 13.3.

b) HOLDOVER.

Failure of a holdover to report for duty within the time limits provided for eligibles shall be considered an automatic resignation and shall be subject to the provisions of Rule 22. A holdover may waive his right to return to duty under a temporary appointment in accordance with the provisions of Rule 32.4.

c) CHANGE OF ADDRESS.

In all cases of change of address, the Civil Service Department must be notified in writing separately for each class involved. Notice of change of address to the post office and/or the employee's current department only will not be a reasonable excuse for special consideration in case of failure to respond to any notice within time limits.

RULE 13

CERTIFICATION AND APPOINTMENT PROCEDURES

Section 13.1. CERTIFICATION PROCEDURE.

One name shall be certified for each position to be filled.

Section 13.2. OFFER OF APPOINTMENT BY PRIORITY OF REQUISITION.

Except as otherwise provided in these rules, the available eligible having the highest standing on the eligible list shall be offered appointment in accordance with priority of receipt of the requisition in the Civil Service Department, or the date to report to duty, whichever is later. If the highest eligible waives appointment, the next available eligible shall be offered appointment, provided such eligible has not already been offered appointment from the list against another requisition.

Section 13.3. ALTERNATIVE METHODS - OFFER OF APPOINTMENTS.

If at the time an eligible list is adopted, two or more approved requisitions are on file in the Civil Service Department, the General Manager, Personnel, may:

1. In his discretion, permit eligibles in line for appointment and in accordance with their standing on the list to select from among the available requisitions the positions to which they desire appointment.

2. In cases where eligibles on the list who would be reached for appointment on such requisitions are at that time employed in the city service, to consult with appointing officers and employees involved, and if it is in the best interests of the service, to offer out said positions so as to make it possible for the continued employment of such eligibles in their own departments.

At times other than when an eligible list is adopted, and if it is in the best interests of the service, the General Manager, Personnel, may permit eligibles in line for appointment and in accordance with their standing on the list, to select from among the available requisitions the positions to which they desire appointment.

Section 13.4. EXCLUSION OF CERTAIN ELIGIBLES FOR APPOINTMENT.

In all cases where an appointing officer considers that a vacancy in a civil service position should be filled by an eligible of a particular sex, he shall so advise the Civil Service Department at the time of his request, specifying in detail the factual basis for his request.

After consideration, the matter may be referred back to the appointing officer with comments for further consideration. Should the appointing officer again request that such position be filled by an eligible of a particular sex, such determination shall be final except so far as anyone may seek review in the courts.

Section 13.5. TENURE OF TEMPORARY APPOINTMENTS.

Temporary appointments may be requisitioned on one of two forms:

a) For appointment not to exceed five months or, b) for appointment for more than five months but not to exceed twelve months.

Original requisitions for less than five months or less than twelve months may be extended from the date of certification but not to exceed the maximum allowable requisition time. Upon completion of the allowable maximum time for any one temporary certification, the temporary appointee shall be laid off and his name shall be returned to the eligible list from which he was appointed, provided that such list is still existent.

Section 13.6. TEMPORARY APPOINTEE NOT CONSIDERED FOR OTHER TEMPORARY APPOINTMENTS - EXCEPTIONS.

An eligible while under temporary certification will not be considered for other temporary appointments from that list or from any other list on which they have eligibility with the following exceptions:

a) An eligible under temporary certification to a part-time position and not under waiver for full time appointment, will be offered full time temporary appointment.

b) An eligible under temporary certification to a full time position may with the approval of the General Manager, Personnel, be offered temporary appointment from a list for another class having a higher salary.

Section 13.7. PERMANENT APPOINTEE NOT CONSIDERED FOR TEMPORARY ENTRANCE APPOINTMENT - EXCEPTION.

An employee under permanent appointment shall not be considered for temporary appointment from a list of eligibles to an entrance position in another class except as follows. Such temporary appointment may be approved if it is in the same department and if the General Manager, Personnel, approves such temporary appointment as being in the best interest of the service.

Section 13.8. PERMANENT APPOINTEE--CONSIDERATION FOR PROMOTIONAL TEMPORARY APPOINTMENT IN ANOTHER DEPARTMENT.

A permanent appointee shall not be certified for temporary appointment in another department from a promotional eligible list unless the appointing officer approves a leave of absence. Denial by the appointing officer of a request for leave of absence for 30 days or more may be appealed to the General Manager, Personnel, within five days after the date of the Notice of Probable Appointment. Pending decision on the appeal, further notice of probable appointment shall not be processed. The General Manager, Personnel, shall make a decision based upon whether the granting of such leave would cause an emergency to occur in the employee's permanent department.

Section 13.9. REPORT FROM APPOINTING OFFICER.

The appointment of an eligible shall be reported to the Civil Service Department by the appointing officer within three days after the employee has started work.

Section 13.10. APPOINTMENTS - REINSTATEMENT TO PRIOR POSITION.

A permanent employee in one class who accepts probationary appointment, either entrance or promotional, to a position in a different class shall be permanently separated from the first position with the following exceptions:

a) DURING PROBATIONARY PERIOD.

Prior to completion of the probationary period, or within one week of the termination of the probationary appointment, the appointee may upon written request and approval of the General Manager, Personnel, be reinstated to a vacant position in the first class and department. If the second appointment is in a different department, then reinstatement to a vacant position in the first class in any department may be approved by the General Manager, Personnel, subject to the appointee serving a probationary period upon such reinstatement.

b) AFTER COMPLETION OF PROBATIONARY PERIOD.

The reinstatement provisions of (a) above shall also be applicable to appointees who have completed the probationary period in the second class provided that the appointing officer(s) have approved such request for reinstatement.

c) Reinstatement to the former position and department shall be with former seniority standing. Reinstatement to the former position but in another department shall require a new seniority date from the date of such reinstatement.

RULE 14

WAIVER OF APPOINTMENT OFFER

Section 14.1. TYPES OF WAIVER.

a) General - waiver of any non-exempt offer of appointment either permanent or temporary.

b) Departmental - waiver of appointment to specific department(s).

c) Exempt - waiver of appointment to a position that is declared exempt by the General Manager, Personnel, because of other than normal conditions of employment attached to the particular position.

d) Positions requiring specialties as noted in examination announcements for engineering or other classes, shall be exempt waiver positions as to those eligibles who did not record such special qualifications on their examination applications.

Section 14.2. METHOD OF WAIVER.

All waivers must be in writing other than automatic general waivers because of failure to respond. Written waivers must state whether the position waived is permanent or temporary and shall be effective upon filing such waiver.

Departmental waivers must be filed prior to the adoption date of the list.

Section 14.3. EFFECTS OF WAIVERS.

a) All general or exempt waivers of appointment to a permanent position shall include waiver of appointment to a temporary position unless otherwise stated by the eligible waiving.

b) A general or exempt waiver of appointment to a temporary position shall not adversely affect the eligible's right to receive an offer of appointment to a permanent position.

c) A general or exempt waiver of any offer of appointment by an eligible having standing on more than one list in the same classification shall apply to any existing list in the same classification.

d) Departmental waivers shall remain in force until the eligible who waived has passed another examination for the class of employment waived.

e) "Exempt" offers of appointment may be waived by eligibles without adversely affecting their eligibility for consideration for offers of appointment to other non-exempt positions.

Section 14.4. NUMBER OF WAIVERS ALLOWED.

Eligibles on entrance and/or promotive lists are allowed only one General Waiver of appointment to a permanent position and withdrawal of such waiver shall be in accordance with Rule 15. Failure to accept an offer of

Appointment to a permanent position after withdrawal of such General Waiver will cause the eligible's name to be removed from the list and all other eligible lists in the same classification.

General Waivers of offers of appointment to permanent positions by eligibles on lists for which the official examination announcement provided for recruitment on a continuous basis, shall cause the eligible's name to be removed from the list, unless the eligible specifically requests temporary employment only. In such case the permanent waiver may not be withdrawn.

Any number of departments may be waived by the eligible prior to the adoption of the eligible list.

Section 14.5. POSITIONS NOT FULL TIME.

a) When Exempt Waiver.

Any part-time position may be declared by the General Manager, Personnel, to be "exempt waiver", and eligibles may then waive appointment without penalty for appointment to a full time position. An eligible who accepts an exempt waiver appointment shall retain his eligibility for appointment to a full time position.

b) Change of Working Time of Part-Time Positions.

If the working time of a part-time exempt waiver position is changed so that it would no longer be considered by the General Manager, Personnel, to be exempt waiver, the appointment to such position shall be voided and the position shall be offered to the eligible list.

c) Advancement.

After two years of continuous permanent satisfactory service in a part-time or school term only position, the senior appointee in a department may be advanced by the appointing officer to a full time position.

Such advancement shall be reported to the Civil Service Department for record-
ation. Advancement from a school term only position shall not require that a
new probationary period be served. Advancement from a part-time position shall
require a new probationary period.

RULE 15.

WITHDRAWAL OF WAIVER

Section 15.1. METHOD.

Request by eligibles to withdraw waivers must be filed in
writing in the Civil Service Department certification office. Withdrawal of
waiver of temporary and permanent employment must be requested separately.

Section 15.2. NUMBER OF WITHDRAWAL OF WAIVERS.

Only one withdrawal of waiver of permanent appointment to a
non-exempt position is allowable to those eligibles on a list established
through an entrance and/or promotive examination announced on other than a
continuing basis.

Section 15.3. EFFECTIVE DATE.

If there are other eligibles available for appointment from a
list, the withdrawal of waiver of temporary and/or permanent employment on
entrance and/or promotive lists shall be effective on the date filed. Offer
of appointment shall be made against any requisition received on or after the
date of such withdrawal of waiver has been filed.

Section 15.4. IMMEDIATE WITHDRAWAL OF WAIVERS.

a) If the list of eligibles on which the name of the eligible appears is exhausted, the withdrawal of waiver shall be effective immediately and, under the provisions of Rule 14, eligibles in accordance with their standing on a list may be permitted to select from among available requisitions the positions to which they desire employment.

b) When an entrance and/or promotive list of eligibles is exhausted and permanent vacancies exist, the General Manager, Personnel, may require the immediate withdrawal of a permanent waiver. Failure to withdraw this waiver and to accept subsequent offer of permanent appointment will cause the removal of the name of such person from the eligible list.

c) The General Manager, Personnel, may grant an immediate withdrawal of waiver to an eligible who is under waiver for failure to respond if the eligible desired to accept appointment when offered and presents satisfactory evidence that failure to respond was not due to his own negligence and was due to causes beyond his control. Such immediate withdrawal of waiver shall not interfere with nor affect the rights of eligibles next in line for appointment to whom notices of appointment have already been mailed and who have or may be appointed in response to such notices.

Section 15.5. FAILURE TO ACCEPT APPOINTMENT AFTER ACCEPTING ON INQUIRY.

When, in response to an inquiry regarding employment, an eligible has signified his willingness to accept a permanent position if his name is reached, and subsequently refuses the appointment when the employment is offered to him on a regular notice of appointment, the waiver then placed against the name of such eligible may be removed upon approval of the General Manager, Personnel.

RULE 16

PROBATIONARY PERIOD

Section 16.1. DURATION OF PROBATIONARY PERIOD.

Regular civil service appointees to permanent positions shall serve a probationary period of six months, except as follows:

a) Regular civil service appointees to entrance positions in the uniformed rank of the Police Department shall serve a probationary period of one year.

b) Regular civil service appointees certified to the Unified School District or the Community College District shall have their probationary period calculated on the basis of six months actual service, excluding from such period of service, periods of non-service because of school vacation.

c) Absences because of industrial accident shall extend the probationary period, excluding from such period of actual service the period of absence because of industrial accident provided that, should the absence caused by the industrial accident exceed one month, the probationary appointment may be terminated by the appointing officer upon showing of good cause and approval of the Commission.

Section 16.2. REPORT OF PROBATIONARY APPOINTEE'S PERFORMANCE.

In accordance with Rule 16.1, prior to the expiration of the six months' probationary period, the appointing officer shall report to the Civil Service Department relative to the performance of the appointee, and if satisfactory, shall recommend permanent appointment.

RULE 17

NON-CIVIL SERVICE OR EMERGENCY APPOINTMENTS

Section 17.1. NON-CIVIL SERVICE APPOINTMENTS PENDING RECEIPT OF APPROVED REQUISITIONS.

a) Pending receipt of an approved requisition in the Civil Service Department, and when in the judgment of the appointing officer immediate service in the position is required to prevent stoppage of essential public business, the General Manager, Personnel, may authorize the appointing officer to make a non-civil service appointment. Such non-civil service appointment shall not extend beyond five working days, provided that when required in unusual cases, the General Manager, Personnel, may authorize an extension of such non-civil service appointment for a specified period. Such authorization shall be automatically cancelled upon notice of disapproval of the requisition by the Mayor, or notice by the Controller of refusal to certify funds.

b) Non-civil service authorizations approved by the General Manager, Personnel, as provided in (a) above, shall be subject to confirmation by the Commission at the following regular meeting.

c) Appointing officers shall post on the timeroll opposite the name of the appointee, the non-civil service authorization number issued by the General Manager, Personnel. A timeroll entry without such verified number shall not be approved.

d) The appointing officer shall have the responsibility for the prompt filing of a fully approved requisition with the Civil Service Department when a non-civil service authorization is approved.

e) The Commission may grant blanket authority to an appointing officer to make non-civil service appointments as needed in designated classifications pending receipt of approved requisitions, when in the judgment of the appointing officer and the Commission, failure to obtain immediate service will create an emergency.

Section 17.2. NON-CIVIL SERVICE APPOINTMENTS AFTER RECEIPT, BUT PENDING THE FILLING OF APPROVED REQUISITIONS.

a) If an eligible list exists for the position for which an approved requisition has been received, and in the judgment of the appointing officer immediate service is required pending the reporting of the eligible, the General Manager, Personnel, may authorize a non-civil service appointment thereto until the civil service eligible reports for duty, but not to exceed 30 calendar days.

b) If no eligible for such class is available, and in the judgment of the appointing officer immediate service is required, the General Manager, Personnel, shall certify an eligible from another list deemed suitable to temporarily provide the required service. If no other list is available, the General Manager, Personnel, may authorize the appointing officer to make a non-civil service appointment subject to the following conditions:

1) Such non-civil service authorization shall be subject to confirmation by the Commission and recorded and reported as provided in Section 17.1 above.

2) Such non-civil service appointment may continue until an eligible is available for appointment but not to exceed 90 working days in any fiscal or calendar year.

3) Appointing officers shall be responsible for limiting employment under non-civil service authorization to 90 working days, or less, in the city service in any fiscal or calendar year.

RULE 18
STATUS RESOLUTION

Not included here. In final printing this will be current Rule 24A (same title) without substantive change.

RULE 19
LIMITED TENURE APPOINTMENT

Section 19.1. AUTHORITY FOR LIMITED TENURE APPOINTMENT.

In accordance with the provisions of Charter Section 145.1, whenever eligibles from regularly established lists are not available for appointment, the General Manager, Personnel, shall qualify and certify applicants for limited tenure appointment or may authorize appointing officers to certify applicants for such appointments.

Section 19.2. EXPERIENCE GAINED UNDER LIMITED TENURE APPOINTMENT.

No person holding a limited tenure appointment shall acquire any right to regular civil service status in the position held under such appointment. Applicable satisfactory service under a limited tenure appointment will be accepted toward minimum experience required for admission to regular civil service examinations.

Section 19.3. ENTRANCE LIMITED TENURE APPOINTMENT.

The General Manager, Personnel, shall qualify and certify applicants for all entrance limited tenure appointments. The General Manager, Personnel, may, for reasons which he deems to be in the best interest of the service, authorize appointing officers to qualify and certify entrance limited tenure appointments. When no regular eligible is available for entrance appointment in response to an approved requisition, the Commission shall recruit applicants for entrance limited tenure appointment.

Section 19.4. RESIDENCE REQUIREMENTS.

Residence requirements for limited tenure examinations shall be the same as for regular civil service examinations. Residence requirements for an entrance limited tenure examination shall be the same as for the last regular civil service examination for the same classification, subject to amendment as follows if in the judgment of the General Manager, Personnel, the recruitment circumstances have changed:

a) If residence requirements were waived, but it appears that a sufficient number of resident applicants are available, residence requirements may be specified.

b) If residence requirements were not waived, but it appears that a sufficient number of qualified resident applicants are not available, residence requirements may be waived.

Section 19.5. ENTRANCE LIMITED TENURE EXAMINATIONS.

Limited tenure examinations shall be informal and non-competitive and shall consist of appraisal of qualifications, evaluation of education, experience, and other applicable factors, and may also include other corroborative material secured by the Civil Service Department.

Section 19.6. LIMITED TENURE APPLICATIONS.

Limited tenure applications shall be filed in the Civil Service Department. When filed, all records pertaining to limited tenure applications shall become the property of the Commission.

Section 19.7. PERMANENT VACANCIES - MINIMUM QUALIFICATIONS.

The minimum qualifications for permanent limited tenure appointment shall be the same as those stated on the latest examination announcement for the respective classification, or in its absence, the official class specification.

For purposes of this rule, the latest examination announcement shall govern from the date of issuance for a period of two (2) years provided that a new examination announcement or a revised class specification is not sooner adopted.

If the foregoing does not provide sufficient eligibles to meet the needs of the service, the General Manager, Personnel, may designate other minimum qualifications.

Section 19.8. PERMANENT VACANCIES - APPOINTMENT PRIORITIES.

When a regular entrance examination announcement has been issued, applicants who qualify for such examination shall have preference for permanent limited tenure appointment by priority of receipt of limited tenure application for such classification.

When there is no examination announcement as defined in Rule 19.7, priority of limited tenure appointment to a permanent vacancy shall be determined by the General Manager, Personnel, from among qualified limited tenure applicants in accordance with the factors as set forth in Rule 19.9.

Section 19.9. TEMPORARY VACANCIES.

The minimum qualifications for temporary limited tenure appointment shall be established by the General Manager, Personnel, and shall include consideration of dependency status, public assistance, length of unemployment, and other economic factors. This section shall permit the employment of partially qualified candidates in order that the limited tenure service would augment their qualifications so that they might qualify for regular civil service examinations.

Section 19.10. MEDICAL REQUIREMENTS.

Applicants for entrance limited tenure positions shall pass a satisfactory medical examination by a civil service examining physician in the following instances:

a) Prior to appointment to permanent entrance positions.

b) Prior to appointment to temporary entrance positions, if the certification is for 3 months or more.

c) At any time, if in the judgment of the General Manager, Personnel, such examination is warranted.

If a limited tenure applicant has been rejected for city employment for medical reasons, he shall remain ineligible for a limited tenure appointment until he presents satisfactory medical evidence which would warrant medical re-examination, and passes such examination.

A medical examination is not required for limited tenure appointment of a regular civil service employee.

Section 19.11. PROMOTIVE LIMITED TENURE APPOINTMENT.

When an approved requisition is received in the Civil Service Department and no regularly qualified eligible is available for promotive appointment to such requisition, the General Manager, Personnel, shall authorize the appointing officer to certify employees to promotive limited tenure appointments in accordance with the following procedures:

1) The appointing officer shall appoint the employee with the highest seniority in the department from the designated next lower rank(s) who will accept such appointment and meets the minimum requirements as indicated in No. 2 below.

2) The designated next lower rank(s) and minimum requirements will be those stated on the latest promotive examination announcement for the respective classification or, in its absence, the official class specification.

For purposes of this rule, the latest promotive examination announcement shall govern from the date of issuance for a period of two (2) years, provided that a new examination announcement or a revised class specification is adopted within said two (2) year period.

3) In those cases when the official class specification governs, the next lower rank(s) shall be those classes listed for such a promotive classification under "Promotive Lines - From" and those classes listed in other official class specifications as next lower rank(s) to such promotive class under "Promotive Lines - To".

4) If the foregoing does not provide sufficient eligibles to meet the needs of the service, the General Manager, Personnel, may designate other minimum qualifications.

5) Promotive limited tenure appointments otherwise made in accordance with this rule, shall not be affected by any subsequent amendment to the regular examination announcement or the official class specification.

Section 19.12. WAIVER OF PROMOTIVE LIMITED TENURE APPOINTMENT.

Waiver of appointment to a limited tenure position shall be in writing on forms provided by the Civil Service Department.

Failure to respond to notification of an available promotional appointment within the time specified by the department will constitute a waiver.

Only one withdrawal of waiver shall be allowed.

Section 19.13. PROMOTIVE APPLICATIONS - RETENTION AND INSPECTION.

Limited tenure promotive applications shall be retained by the appointing officer of the respective department, and such applications and all records pertaining thereto shall be maintained so as to be readily available for inspection by the Civil Service Department.

Section 19.14. REINSTATEMENT.

A regular civil service employee who is laid off, terminated or resigns from a limited tenure promotive appointment shall revert to his regular status.

Section 19.15. RESIGNATION.

A limited tenure appointee resigning from his employment shall complete the resignation form provided by the Civil Service Department.

Section 19.16. LAY-OFF.

The lay-off of a limited tenure employee shall be governed by the following provisions:

1. The limited tenure employee with the least seniority in the class in the department shall be laid off first.

2. Seniority of a limited tenure employee for purposes of lay-off shall be the total limited tenure service in the class in the department.

3. Entrance limited tenure employees shall be laid off prior to the lay-off of any promotional limited tenure employees in the same class.

4. Seniority of a permanent limited tenure employee and a temporary limited tenure employee shall be treated separately.

5. Seniority, in the event of ties, shall be determined by the appointing officer.

6. The General Manager, Personnel, may authorize appointing officers to designate that lay-offs within a department shall be by bureau or division where in his judgment it is in the best interest of the service.

7. When a regular civil service eligible list is adopted and an eligible is certified to replace a limited tenure employee, the authorization for such limited tenure employee shall be automatically cancelled and the limited tenure employee shall be laid off. No further authorization for limited tenure appointments in such class will be authorized when any eligible is available for appointment.

Section 19.17. ABSENCES.

a) Leaves of absence will be granted to limited tenure appointees for military leave or sick leave with or without pay in accordance with the rules governing regular appointees.

b) Leaves of absence for other reasons may be approved by the appointing officer for a period not to exceed two consecutive weeks by recording such leave on the timeroll.

RULE 20

TRANSFERS

Section 20.1. TRANSFER PROCEDURE.

A transfer of a permanent appointee to a position in the same class under another appointing officer shall be subject to the following:

a) A properly completed transfer form approved by both appointing officers must be filed in the office of the Civil Service Department.

b) A transfer form may only specify one department to which transfer is requested.

c) Upon approval of the transfer request by the General Manager, Personnel, the employee shall be offered appointment by transfer on an approved requisition received after the time of filing of the transfer form and ahead of eligibles on the list except - no employee from an existing list of eligibles shall be offered appointment by transfer ahead of any available eligible on such existing list who has higher rank than the employee.

d) If two or more employees have approved transfer requests on file to the same class and department, appointment shall be offered to the employee with the longest service under permanent civil service appointment in the class. This provision shall also apply to persons blanketed into their civil

service appointment, and service shall be calculated from the date of such blanketing into the involved class.

e) A transferee shall be a new appointee in the department to which transferred and shall serve a new probationary period.

Section 20.2. TRANSFER FROM POSITION NOT FULL TIME.

A permanent appointee to a part-time position or a position not full time on an annual basis and who serves under such appointment continuously for two years, may request transfer to a regular full time position in accordance with the provisions of this rule.

Section 20.3. TRANSFERS - SPECIAL CONDITIONS.

a) REQUEST FOR REINSTATEMENT.

An appointment by transfer shall cancel all rights to the position from which transferred with the following exception:

Prior to the completion of the probationary period, a transferee may request reinstatement to a vacancy in a position in the same class and department from which transferred. Such reinstatement request shall require approval of the General Manager, Personnel.

b) TERMINATION DURING PROBATIONARY PERIOD.

In the event the probationary appointment of a transferee is terminated, the Commission may declare such person dismissed, or may approve a request for transfer to another appointing officer in accordance with the provisions of this rule, or may consider a request for reinstatement to a vacancy in the class in the department from which transferred, or may return his name to the current eligible list for the class.

c) TRANSFER OF DISABLED.

A disability transfer request may be effected in accordance with charter provision. A disability transfer request shall be submitted to the Civil Service Department on properly completed forms. The Commission physician shall certify on such form that the employee because of physical disability is unable to perform the duties of his present position, but may perform the duties of the position to which he requests transfer. The disability transfer request shall be subject to the approval of the General Manager, Personnel, In the event of more than one disability transfer request filed for the same position, the request with the earlier filing time in the Civil Service Department shall be offered available appointment. A disability transferee shall not serve a new probationary period.

Section 20.4. TRANSFER - WHEN CANCELLED.

a) Any transfer request that remains on file for a period of 18 months without appointment being offered, shall be automatically cancelled. The employee may submit further request for transfer in accordance with the provisions of this rule.

b) Waiver of appointment by transfer shall automatically cancel the transfer request. Further request for transfer shall be in accordance with the provisions of this rule.

Section 20.5. TRANSFERS OCCASIONED BY REDUCTION OF FORCE DUE TO TECHNOLOGICAL ADVANCES, AUTOMATION OR THE INSTALLATION OF NEW EQUIPMENT.

Permanent civil service employees who have completed their probationary period and who are subject to lay-off because of technological advances, automation or the installation of new equipment, may request the General Manager, Personnel, for transfer to a position within their capacities to perform, whether or not within the classification for which they qualified for appointment.

Such request for transfer shall be subject to the following:

- a) Request for transfer shall be submitted on special forms provided by the Civil Service Department.
- b) The position to which transfer is requested shall not be to a classification having a higher compensation schedule than the one from which transfer is requested. Compensation in the position to which transfer is made shall thereafter be governed by the provisions of the Salary Standardization Ordinance and the Salary Ordinance.
- c) The General Manager, Personnel, may administer any examinations which in his judgment are deemed advisable to test the capacity of the employee to perform the duties in the position to which transfer is requested, unless the transfer is to a position in the same classification or a closely related class.
- d) If an employee so transferred is not suited to the position, he may be given an opportunity for further transfer to another position within his capacities to perform.
- e) In the event of lay-off of an appointee who occupies his position through transfer under the provisions of this section, such lay-off shall be in accordance with the provisions of Rule 32.
- f) Employees transferred under the provisions of this section may with the approval of the General Manager, Personnel, and the appointing officers involved, be returned to a vacancy in the former classification.
- g) In the event that more than one approved transfer to the same classification is on file in the Civil Service Department, preference shall be given to the appointee who has the longest service under civil service permanent appointment in his classification from which lay-off is to be made.

h) An employee transferred under the provisions of this section shall be eligible to participate in promotional examinations from the classification to which appointed by transfer, provided that he otherwise meets all of the requirements set forth in the promotive examination announcement. An employee transferred under the provisions of this section shall be eligible to participate in promotional examinations from the classification from which transfer was made for a period of five years from the date of such transfer, provided that he otherwise meets all of the requirements set forth in the promotive examination announcement.

RULE 21

ANNUAL VACATION - TEMPORARY EMPLOYEES

Not included here. In final printing this will be current Rule 30 (same title) - without substantive change.

RULE 22

LEAVES OF ABSENCE WITHOUT PAY

Not included here. In final printing this will be current Rule 31 (same title) - without substantive change.

RULE 23

SICK LEAVE WITH PAY

Not included here. In final printing this will be current Rule 32 (same title) - without substantive change.

RULE 24
MILITARY LEAVE

Section 24.1. MILITARY LEAVE - AUTHORITY.

Military leave is governed by the provisions of the State Military and Veterans Code and by charter provision when not in conflict with the Military and Veterans Code, and by this rule.

Section 24.2. MILITARY LEAVE - EMPLOYEES ELIGIBLE.

a) Employees who are members of the National Guard, Naval Militia, or members of the reserve corps or force in the federal military or naval service (including the Coast Guard), are eligible for military leave.

b) In time of war employees shall be granted military leave for sea duty aboard ships operated by or for the U. S. Government.

Section 24.3. MILITARY LEAVE - TEMPORARY DUTY.

Ordered military duty that does not exceed 180 days, including the time involved in going to and returning from such duty, is temporary military leave.

Section 24.4. MILITARY LEAVE - OTHER THAN TEMPORARY.

Ordered military duty during time of war or national emergency proclaimed by the President or Congress, or while conscription is in effect, shall be for the period of military service and for a period not to exceed three (3) months after the conclusion of such service but not later than six (6) months after the expiration of the war, emergency or Conscription Act.

Section 24.5. PROOF OF DUTY.

Requests for military leave shall be forwarded to the Civil Service Department together with a copy of the orders for military duty. Upon release from such military duty, a copy of the discharge or release shall be presented to the Civil Service Department.

Section 24.6. MILITARY LEAVE - SALARY.

Employees who have been in the employ of the City and County for a period of not less than one year continuously prior to the date upon which military leave begins, shall receive their regular salary or compensation for a period not to exceed thirty (30) calendar days of such military leave in any fiscal year, nor more than thirty (30) calendar days during any period of continuous military leave.

Section 24.7. MILITARY LEAVE - PROBATIONARY APPOINTEE.

Military leave taken during a probationary period does not extend such probationary period.

Section 24.8. MILITARY SERVICE - ELIGIBLE NOT REACHED FOR APPOINTMENT WHILE IN THE SERVICE - TIME OF WAR.

An eligible on a regular civil service list, in the military service during time of war or during any emergency lawfully declared by the President of the United States, who presents an honorable discharge or certificate of honorable active service within one year from the date of release from military service, shall be preferred for appointment for a period of four years after the proclamation of peace, or the termination of the emergency, in the order of standing upon the eligible list at the time of entrance into military service.

Section 24.9. MILITARY SERVICE - ELIGIBLES REACHED FOR APPOINTMENT WHILE IN THE SERVICE.

a) If while in the military service, the name of an eligible was reached for certification to a permanent position, an appointment of the next available eligible shall be made pending return of the eligible from military service. If the eligible presents an honorable discharge or certificate of

honorable active service within 120 days from the date of release from military service, he shall be certified to a position in the class for which he was so reached, and for all purposes of seniority, the date of certification shall be deemed to be the date when the eligible was reached for certification while in the military service.

b) An appointee certified in accordance with this section shall serve the charter required probationary period.

c) An eligible for entrance appointment as Policeman or Fireman shall not be certified in accordance with this section if he was over the age limit required by charter at the time he was reached for such certification.

d) An eligible who is offered appointment in accordance with the provisions of this section and who waives appointment and is subsequently certified after withdrawal of waiver, shall have seniority for all purposes as of the date of such certification.

Section 24.10. MILITARY SERVICE - EMPLOYEES OR OFFICERS NOT SUBJECT TO CIVIL SERVICE EXAMINATION.

a) ELECTIVE OR APPOINTIVE OFFICERS.

Military leave to an elected or appointed officer, appointed for a definite period of time, shall not be extended beyond the period of time for which elected or appointed, provided that if such officer is re-elected or re-appointed, then military leave shall be automatically extended for such ensuing period of time.

b) Military leave to an employee occupying a position exempt from civil service examination, shall not extend beyond the period of time for which his appointing officer was elected or appointed.

RULE 25

ABSENCE FROM DUTY WITHOUT LEAVE

Section 25.1. WHEN FIVE DAYS OR LESS.

Absence from duty without proper authorization for a period of five working days or less, shall be cause for disciplinary action by the appointing officer.

Section 25.2. WHEN OVER FIVE DAYS.

Absence from duty without proper authorization in excess of five continuous working days, shall constitute abandonment of the position and shall be reported to the Civil Service Department and recorded as an automatic resignation. Such resignation shall be subject to reconsideration, if so requested by the employee, within thirty (30) calendar days from the beginning date of the unauthorized absence.

If the employee can present proof that he was incapable of communicating with the appointing officer because of involuntary detention, or because of verifiable mental incompetency, and presents such proof within thirty (30) calendar days of the time he was able to so communicate, the automatic resignation shall then be subject to reconsideration.

RULE 26

TEMPORARY ASSIGNMENTS OUTSIDE OF CLASSIFICATION

Section 26.1. TEMPORARY ASSIGNMENTS OUTSIDE OF CLASSIFICATION.

a) No person shall be assigned duties outside of the classification to which he has been appointed, provided that employees shall perform any duty to which his chief may temporarily assign him.

b) "Temporary assignment" means an assignment without change in classification or pay to duties not included in the classification to which the employee is regularly appointed. This is distinguished from "temporary appointment", which for the purposes of this section refers to an appointment to a differently classified position in accordance with civil service and budgetary provisions.

c) A temporary assignment shall not continue beyond thirty (30) calendar days except as otherwise provided herein.

d) A temporary assignment shall not be made when 1) unfilled permanent positions in the classification exist in the department; 2) employees in such classification are absent on leave without pay status, except to provide service for the time required to process a temporary requisition.

e) When it is known that temporary services are required for a period in excess of thirty (30) calendar days, then a temporary appointment shall be made.

f) When a temporary assignment is made and a thirty (30) calendar day period from the beginning date of assignment to the position has elapsed, and it is then determined that further temporary service in such position is required, further temporary assignment will not be authorized, except as follows.

g) When temporary service in excess of thirty (30) calendar days is required to prevent the stoppage of essential public business, and funds are not available for a temporary appointment, then, with the approval of the General Manager, Personnel, and the Mayor, a temporary assignment may be continued, provided that the appointing officer shall immediately request approval of funds for a temporary appointment. Upon the availability of such funds, the temporary assignment shall be cancelled and a temporary appointment shall be made.

If such funds are not approved, then the temporary assignment shall be cancelled. Pending approval of funds, the continuation of such temporary assignment shall be subject to review by the Commission.

h) Temporary assignments, the reason therefor and the period thereof, shall be immediately reported to the Civil Service Department and to the Mayor for approval and recordation, provided that records of temporary assignments of less than thirty (30) calendar days duration need not be so reported but shall be maintained in the department in such form as to be available for review or audit by the Civil Service Department.

i) The regular assignment for a minor portion of the work days of duties which are enumerated in a different classification, but which are generally related to the regular duties of the employee, will be approved when assignment of such duties is in the interest of the service. Any assignment of such duties shall be reported immediately to the Commission for approval and such report shall contain the nature of such duties and the reason for the assignment of the duties.

RULE 27

TEMPORARY EXCHANGES FOR TRAINING PURPOSES.

Section 27.1. TEMPORARY EXCHANGES FOR TRAINING PURPOSES.

Employees holding permanent appointment in a regular civil service position under different appointing officers may, upon their written request and with the approval of the appointing officers concerned and the Commission or the General Manager, Personnel, thereof, be exchanged in positions in the respective departments for a period of not less than six months nor more than one year for training and development purposes; provided that the employees

so exchanged must be permanent employees in the same class or in classes deemed by the Commission or the General Manager, Personnel, to be closely related in duties and responsibilities, training and experience requirements; and further provided that such temporary training service may be terminated by either appointing officer at any time during such training period.

Employees so exchanged will remain on the permanent payroll of their regular department and time reports will be maintained in the second department and submitted to the original department for timekeeping purposes. Exchange assignments shall be recorded on employee history cards and employees shall be credited for the performance of the duties in the exchanged position. Employees temporarily assigned for training and development under this section of the rule will be considered as employees of the original department for any disciplinary action necessary under Section 154 of the Charter.

RULE 28

EMPLOYEE TRAINING REIMBURSEMENT

Not included here. In final printing this will be current Rule 31.4 (same title) - without substantive change.

RULE 29

ADDITIONAL PART-TIME EMPLOYMENT

Not included here. In final printing this will be current Rule 36 - without substantive change.

RULE 30
PERSONNEL SERVICE RECORDS

Section 30.1. PERSONNEL SERVICE RECORDS.

The Commission shall establish, in accordance with charter provision, a personnel service record system for the purpose of compiling information useful in the evaluation of employees for promotion and other purposes. Pending the establishment of an effective service record system, appointing officers are required to submit a "Report of Performance of Probationary Appointee" which will be filed with the Civil Service Department during the fifth month of the employee's probationary period.

RULE 31
OVERTIME

Section 31.1. OVERTIME COMPUTATION.

Absence from duty because of leave with pay, military leave, annual vacation, or legal holidays shall be considered as time worked in computing a work week for overtime purposes.

Section 31.2. SATURDAY MORNING WORK SCHEDULE.

Time worked on Saturday morning in a department which is required to be open Saturday morning for the conduct of public business, shall not be construed as overtime worked. Employees so working shall be granted one-half (1/2) day off in the same or succeeding week in lieu of the half day worked on such Saturday morning.

RULE 32

LAY-OFF

Section 32.1. LAY-OFF - PERMANENT APPOINTEES - BY DEPARTMENT - EXCEPTION.

Lay-off of permanent appointees shall be by class in the inverse order of the date of permanent certification to the class. Lay-off shall be treated separately under each appointing officer with the following exception:

An appointee with five or more years of continuous permanent service immediately prior to a lay-off in the class, shall have the right to displace an appointee with less than five years of such continuous permanent service in that classification in any department. In that event, lay-off shall be by inverse order of the date of permanent certification in the class in the City and County service.

Section 32.2. LAY-OFF - PERMANENT APPOINTEES - EXEMPT WAIVER POSITIONS - BY DEPARTMENT.

Lay-off of permanent appointees certified on a requisition requiring special education, training or experience, pursuant to the provisions of Rule 14.1 (d), shall be laid off when the work requiring such special qualifications is completed, provided that such appointees shall have rights to continued employment within their classification in positions where a speciality is not required if there are employees in such positions who have a later date of appointment.

Section 32.3. LAY-OFF - SPECIAL PROVISIONS - PERMANENT PROMOTIVE POSITIONS.

a. PROBATIONARY PROMOTIONAL APPOINTMENT.

The name of an employee laid off from a promotive appointment during the probationary period shall be returned to the eligible list from which promotion was made, provided that such list is still in existence.

b. REINSTATEMENT TO FORMER CLASS.

An employee laid off from a promotive appointment shall be reinstated to a position in the class and department from which he was promoted. If necessary, layoffs in the classes affected shall follow.

c. REINSTATEMENT FROM TWO STEP PROMOTION.

An employee laid off from a permanent promotive appointment that is two steps higher than the permanent position from which promoted, shall be returned to an established position in the immediately direct next lower rank in the department in which the layoff occurs. He shall serve a probationary appointment in such position. If necessary, layoffs in the classes affected shall follow.

d. HIGHER CLASSES NOT FILLED BY PROMOTIONAL EXAMINATION.

The General Manager, Personnel, may order that the provisions of this rule shall apply to appointees in higher classifications in a classification series even though the examination for such higher classification was not held as a promotive examination, or where appointees were blanketed in to such higher classifications.

Section 32.4. REINSTATEMENT OR APPOINTMENT TO POSITION FROM WHICH LAID OFF - PROMOTIONAL OR ENTRANCE POSITIONS.

A permanent appointee to a promotional or entrance position who is laid off shall be deemed a "holdover" and shall have the right for a period of five years from the date of layoff, to be reinstated to a vacancy in a position in the class from which laid off, subject to the following conditions:

a. Permanent Vacancy In Department From Which Laid Off.

If the vacancy is in a permanent position in the department from which the layoff occurred, the holdover must accept reinstatement or loss of all reinstatement rights will follow. Such reinstatement will automatically cancel any temporary appointment.

b. Temporary Vacancy In The Department From Which Laid Off.

If the vacancy is in a temporary position in the department from which the layoff occurred, the holdover may waive temporary appointment if he is permanently employed outside of the city service. Such waiver may not be withdrawn except with the approval of the General Manager, Personnel.

c. Vacancies In Other Departments.

If the vacancy, whether permanent or temporary, is in another department than the one from which layoff occurred, the holdover shall have the right for appointment ahead of eligibles on current lists. If more than one holdover is to be considered, preference shall be given to the holdover with longest continuous service under civil service permanent appointment in the class involved. Acceptance of permanent appointment to another department shall be subject to serving a probationary period and shall cancel rights to reinstatement to the department from which the layoff occurred.

Waiver of permanent appointment to another department may not be thereafter withdrawn for such department.

Waiver of temporary appointment to another department may not be withdrawn except with the approval of the General Manager, Personnel.

d. Extension of Holdover Period.

If a holdover does not resume permanent status in the class from which he acquired such status, within a five year period, such holdover status shall terminate except as follows. If the holdover served for a substantial period of time during the five year period under temporary appointment in the class from which laid off, the Commission upon the review of all the circumstances may extend the holdover status for such specified period of time as it may deem proper.

Section 32.5. LAY-OFF - TEMPORARY APPOINTEES.

a. Order of Lay-off.

Layoff of temporary appointees required within a certification period shall be by class within a department according to rank on the eligible list. Upon completion of the five month or one year maximum period of temporary certification, as provided in Rule 13.5, appointees shall be laid off without regard to rank on the eligible list.

b. Holdover - Temporary Appointees.

A temporary appointee certified from a regular eligible list and who has satisfactorily served under full time temporary appointment from such list for a period or periods of one year or more during the life of such list, shall upon expiration of the list be termed a "holdover-temporary appointee". A holdover temporary appointee shall thereafter for a period of five years have preference over eligibles on subsequent lists for certification to temporary appointments. Such preference shall continue as long as the appointee served satisfactorily in such class for six months of each year of the five year period.

c. Holdover - Temporary Appointees - Ties.

When more than one person has standing as a holdover temporary appointee in the same classification, preference for temporary appointment shall be given to the person having highest rank on the eligible list.

Section 32.6. LAY-OFF - SPECIAL CERTIFICATIONS.

An employee certified on a requisition requiring certain specialties noted on the examination announcement, and are exempt waiver positions, in accordance with the provisions of Rule 14.1 (d), shall be laid off when the work requiring such special qualifications is completed.

Such appointees shall have rights to continue in the employment within their classification in positions where a specialty is not required if there are employees in such positions who have a later date of appointment, and who have lower eligibility standing. "Lower eligibility standing" also includes employees in such positions who, though having a higher ranking on the eligible list, were under waiver for appointment to such positions.

RULE 33

RESIGNATION

Section 33.1. FORM.

A resignation shall be immediately reported to the Civil Service Department on the Civil Service Department form. If an employee resigns without completing the form, but otherwise gives notification in writing of his resignation, such notification shall be attached to the form and submitted to the Civil Service Department.

Section 33.2. APPROVALS.

A resignation must be approved by the appointing officer. It must also be approved by the General Manager, Personnel, when services have been certified as satisfactory, and by the Commission when services have been certified as other than satisfactory.

Section 33.3. EFFECTIVE DATE - WHEN FINAL.

A resignation shall be effective as of the effective date entered on the resignation form. The approval of a resignation by the General Manager, Personnel, or Commission, may not precede the effective date. Upon approval of a resignation by the General Manager, Personnel, or Commission, the resignation action shall be final and shall not be reconsidered.

Section 33.4. SATISFACTORY SERVICE - PERMANENT APPOINTEES.

A permanent appointee who resigns and whose services have been certified as satisfactory by the appointing officer, shall be permanently separated from such appointment except as follows:

a. Upon his request, within a one year period after the effective date of the resignation, and with the approval of the appointing officer and the General Manager, Personnel, the resignee may be appointed ahead of eligibles to a vacancy in a permanent position in the class from which he resigned. Such appointment shall be further subject to the following:

1. That the employee did not withdraw his contributions to the Retirement System, or if he did withdraw his retirement contributions, makes arrangements for the return to the Retirement System of the withdrawn funds.

2. That when re-appointed, he shall enter the service as a new appointee with no rights based on prior service except such as may be specifically provided in the vacation, sick leave and Salary Standardization Ordinance, and in the examination procedures with respect to credit for prior city and county service.

Section 33.5. SATISFACTORY SERVICE - PROBATIONARY OR TEMPORARY APPOINTEES.

An employee under probationary or temporary appointment who resigns and whose services have been certified as satisfactory by the appointing officer, shall be removed from the eligible list from which appointed subject to the following:

a) If the resignee so requests, and with the approval of the General Manager, Personnel, his name may be returned to the eligible list from which appointed under waiver as follows:

1. If the resignation was from probationary status, the waiver shall be for all appointment.

2. If the resignation was from temporary status, the waiver shall be for temporary appointment.

b) The name of a resignee from temporary status shall be placed under waiver of temporary appointment on any other eligible list, subject to the rule on withdrawal of waiver.

Section 33.6. SERVICES OTHER THAN SATISFACTORY.

A resignation certified by the appointing officer as services other than satisfactory, shall be accompanied with a detailed statement of the reasons therefor. The names of persons whose resignation has been so certified may, after consideration by the Commission, be removed from other eligible lists on which they have standing, and participation in future examinations shall be as ordered by the Commission. Pending such action by the Commission, the resignee shall be under waiver on any other eligible list on which he has standing.

RULE 34.

GRIEVANCE PROCEDURE

Not included here. In final printing this will be current Rule 56 - without substantive change.

RULE 35.

APPRENTICESHIP PROGRAM

Not included here. In final printing this will be current Rule 57 (same title) - without substantive change.

RULE 36

TRANSPORT WORKERS TRUST FUND

Not included here. In final printing this will be current Rule 55 - without substantive change.

RULE 37

BLANKETING IN OF CHILD CARE CENTER EMPLOYEES

Not included here. In final printing this will be current Rule 24B (same title) - without substantive change.



